

Sixth Appellate District

San Jose, California

MONDAY, OCTOBER 30, 2006

(no minute approved orders)

TUESDAY, OCTOBER 31, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Mihara, J.; Duffy, J.; and W. Magsaysay, Deputy Clerk.

H029544 DAVIS v. WCAB, et al.

H029834 TORRES v. WCAB, et al.

Cause called and argued by Russell D. Jacobson appearing for Petitioner Fortunata Davis, by Barry Lesch appearing for Respondents Allied Security, et al., by Jim Gonzalez appearing for Petitioner Moises Torres, by Marshall G. Candee appearing for Respondents Williams Tank Lines, et al., by Leah D. Davis appearing for amicus curiae County of Los Angeles in support of respondents and by David Froba appearing for amicus curiae California Applicants' Attorneys Association in support of petitioners. Cause ordered submitted. Court adjourns.

H029514 PEOPLE v. WOODS

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed October 31, 2006

H029202 PEOPLE v. OLAYO

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)  
Filed October 31, 2006

WEDNESDAY, NOVEMBER 1, 2006

H028577 PEOPLE v. MOLEA, JR.

The trial court is directed to prepare a new abstract of judgment, deleting the reference to "15% credits" and awarding defendant 1,304 of presentence credits, including 870 days of custody credits and 434 days of conduct credits. The new abstract should be forwarded to the Department of Corrections. As so modified, the judgment is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)  
Filed November 1, 2006

Sixth Appellate District

San Jose, California

Wednesday, November 1, 2006 (continued)

H029371 ANDERSON v. KAUFMAN, et al.

The judgment is reversed and remanded to the trial court for the limited purpose of corrections in accordance with this opinion. In all other respects, the judgment is affirmed. The parties are to bear their own costs on appeal. (not published) (Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)  
Filed November 1, 2006

H029407 PEOPLE v. DEWEY

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed November 1, 2006

H029646 PEOPLE v. BARAJAS

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed November 1, 2006

H028963 PEOPLE v. BROWN

The judgment is reversed. The matter is remanded for retrial on the two counts of false imprisonment (counts 2 and 9). Upon retrial or dismissal of those counts, the court is directed to enter a new judgment that includes a correct reflection of the oral pronouncement of sentence by the trial court on May 24, 2005, as to the convictions on counts 1, 2, 3, 7, 8, 9, and on the separate conviction of driving under the influence (Veh. Code, § 23152, subd. (a)). (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed November 1, 2006

THURSDAY, NOVEMBER 2, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and J. Michel, Deputy Clerk.

H028703 PEOPLE v. VILLALOBOS, et al.

Cause called and argued by Mark Farbman appearing for Appellant Villalobos and by Solomon R. Wollack appearing for Appellant Maltos and by Jeremy Friedlander, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H029789 PEOPLE v. KEVIN W.

Cause called and argued by James W. Duffy appearing for Appellant and by Christopher W. Grove, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, November 2, 2006 (continued)

H029276 FORTE v. LICHTENEGGER, et al.

Cause called and argued by Eugene Fort, appellant appearing in propria persona and by Gerard A. Rose appearing for Respondents. Cause ordered submitted.

H029741 ROSENVICK, INC. v. MORTGAGETREE LENDING

Cause called and argued by Dylan Bradley Carp appearing for Cross-Defendant and Appellant and by Stephen G. Oppewall appearing for Cross-Complainant and Respondent. Cause ordered submitted.

H029528 DELL'OCA, as Trustee, etc., et al. v. UBS SECURITIES LLC

Cause called and argued by Kenneth Joseph Catanzarite appearing for Appellants and by Jennifer B. Poppe appearing for Respondent. Cause ordered submitted. The Court stands in recess.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and S. Nasson, Deputy Clerk.

H028565 PEOPLE v. HARVEY, et al.

Cause called and argued by Alan Siraco appearing for Appellant Libbett and by Maribeth Halloran appearing for Appellant Harvey and by Peter Flores, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H029021 GIL-OSORIO v. FEINSOD

Cause called and argued by Richard Damon appearing for Appellant and by Edward Newman appearing for Respondent. Cause ordered submitted.

H029345 SPIELBAUER v. COUNTY OF SANTA CLARA, et al.

Cause called and argued by Douglas Allen appearing for Appellant and by Marcy Berkman, Deputy County Counsel, appearing for Respondents. Cause ordered submitted.

H028656 COURT HOUSE PLAZA COMPANY v. MERCER PROCESSING, et al.;

Cause called and argued by Jeffrey Widman appearing for Appellant and by John Fitzgerald appearing for Respondents. Cause ordered submitted. Court adjourns.

H028518 PEOPLE v. PALMER

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed November 2, 2006

Sixth Appellate District

San Jose, California

FRIDAY, NOVEMBER 3, 2006

The following cases are submitted this date:

H029723 PEOPLE v. PATLAN  
H029308 PEOPLE v. TREVINO  
H029501 PEOPLE v. AGBALOG  
H029486 PEOPLE v. SOTO  
H030203 WEIDER on Habeas Corpus  
H029502 PEOPLE v. PIMENTEL  
H029552 CLAIRE, et al. v. CAREER MARKETING, INC., et al.  
H029619 PEOPLE v. STREETER  
H029353 PEOPLE v. DARBEY, et al.  
H030048 STERN v. CONTRACTORS STATE LICENSE BOARD  
H029068 PEOPLE v. VENEGAS, JR.  
H030118 PEOPLE v. SPOTSWOOD  
H029857 PEOPLE v. HAYES  
H029265 PEOPLE v. PHILLIPPOU  
H029944 PEOPLE v. GUTIERREZ  
H029595 PEOPLE v. FOSSELMAN  
H029409 VARGAS v. BACA  
H029656 PEOPLE v. CONTRERAS  
H029962 PEOPLE v. HUTCHINSON  
H029970 PEOPLE v. TRAN  
H029824 PEOPLE v. ESTRADA  
H029359 PEOPLE v. JIMENEZ  
H029494 PEOPLE v. MIRANDA  
H030065 PEOPLE v. LONG

H030186 In re ANDREW M.; SANTA CRUZ HRA v. VANESSA M.

The order terminating Vanessa's parental rights to Andrew is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed November 3, 2006

H029699 PEOPLE v. MOORE

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed November 3, 2006